

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHARLES EDWARD MOORE,)	
#1048050,)	
Petitioner,)	
)	
vs.)	No. 3:22-CV-2025-D
)	
DIRECTOR, TDCJ-CID,)	
Respondent.)	

ORDER

After reviewing all relevant matters of record in this case, including the October 18, 2022 findings, conclusions, and recommendation of the United States Magistrate Judge and the magistrate judge's March 10, 2023 supplemental findings, conclusions, and recommendation, and petitioner's objections and motions, in accordance with 28 U.S.C. § 636(b)(1), the court is of the opinion that the findings and conclusions of the magistrate judge are correct and they are adopted as the findings and conclusions of the court. For the reasons stated in the October 18, 2022 findings, conclusions, and recommendation of the United States Magistrate Judge and the magistrate judge's March 10, 2023 supplemental findings, conclusions, and recommendation, the court denies with prejudice, as barred by the statute of limitations, the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, docketed on September 13, 2022.

Except for a motion that the magistrate judge has granted or has recommended be granted, all of petitioner's pending motions are denied on the merits or as moot.

In accordance with Fed. R. App. P. 22(b) and 28 U.S.C. § 2253(c), and after considering the record in this case and the recommendation of the magistrate judge, the court denies a Certificate of Appealability. The court adopts and incorporates by reference the magistrate judge's findings, conclusions and recommendation in support of its finding that the petitioner has failed to show (1) that reasonable jurists would find this court's "assessment of the constitutional claims debatable or wrong," or (2) that reasonable jurists would find "it debatable whether the petition states a valid claim of the denial of a constitutional right" and "debatable whether [this Court] was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

If petitioner files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* that is accompanied by a properly signed certificate of inmate trust account

SO ORDERED.

July 19, 2023.



SIDNEY A. FITZWATER
SENIOR JUDGE